

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jonathan Farber Appl. No.: 10/591,789 (U.S. Nat'l Phase of PCT/CA2004/001895; Int'l Filing Date: October 29, 2004) § 371 Date: <i>To be assigned</i> For: Delivery Systems for Non-Steroidal Anti-Inflammatory Drugs (NSAIDS)	Confirmation No.: <i>To be assigned</i> Art Unit: <i>To be assigned</i> Examiner: <i>To be assigned</i> Atty. Docket: 1556.0470001/RWE
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Information Disclosure Statement

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS PTO/SB/08A Form are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of documents FP1-FP8 are submitted. In accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited on the attached IDS Form PTO/SB/08A are submitted.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicant has listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Jonathan Farber
Appl. No. 10/591,789 (U.S. Nat'l Phase of
PCT/CA2004/001895; Int'l Filing Date:
October 29, 2004)

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS PTO/SB/08A, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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Atty. Dkt. No. 1556.0470001/RWE

Substitute for form 1449/PTO		<i>Complete if Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	10/591,789
		Int'l Filing Date	October 29, 2004
		First Named Inventor	Jonathan Farber
		Art Unit	<i>To be assigned</i>
		Examiner Name	<i>To be assigned</i>
Sheet	1	of	1
		Attorney Docket Number	1556.0470001/RWE

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	FP1	GB 691,782 B1	05/20/1953	Chivers & Sons Ltd.		
	FP2	WO 98/20860	05/22/1998	FMC Corporation		
	FP3	WO 99/026491 A1	06/03/1999	Bristol-Myers Squibb Co.		
	FP4	WO 00/16743	03/30/2000	Drug Delivery Systems, Inc.		
	FP5	WO 03/026438 A1	04/03/2003	9103-3019 Quebec, Inc.		
	FP6	WO 03/088755 A1	10/30/2003	Vital-State Canada Ltd.		
	FP7	WO 05/079819 A1	09/01/2005	Vital-State US, Inc.		
	FP8	WO 05/094782 A1	10/13/2005	Vital-State US, Inc.		

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Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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